

MESSAGE NO: 1194307

MESSAGE DATE: 07/13/2011

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-900

EFFECTIVE DATE: 11/04/2009

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping duty scope ruling on certain rescue/demolition blades from the People's Republic of China (A-570-900)

NOTE: NOTICE OF THE LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE OF THESE INSTRUCTIONS. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM GANG YAN DIAMOND PRODUCTS INC. COMMERCE ISSUED A FINAL SCOPE DETERMINATION ON 06/27/2011 THAT CERTAIN RESCUE/DEMOLITION BLADES WHICH GANG YAN DIAMOND PRODUCTS INC. IMPORTS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON DIAMOND SAWBLADES AND PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-900). THE SPECIFIC RESCUE/DEMOLITION BLADES WHICH COMMERCE DETERMINED WERE OUTSIDE THE SCOPE OF THE ORDER ARE MODEL NUMBERS LRC12, LRC14, LRC16, LRC40, LRC45, AND LRC70.

2. COMMERCE DETERMINED THAT THE RESCUE/DEMOLITION BLADES DESCRIBED ABOVE ARE OUTSIDE THE SCOPE OF THE ORDER ON DIAMOND SAWBLADES AND PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA BECAUSE THEY DO NOT CONTAIN DIAMOND SEGMENTS AS DESCRIBED IN THE SCOPE OF THE ORDER. THEREFORE, THE MERCHANDISE DESCRIBED IN PARAGRAPH 1 IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON DIAMOND SAWBLADES AND PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 11/04/2009, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES OF RESCUE/DEMOLITION MODEL NUMBERS LRC12, LRC14, LRC16, LRC40, LRC45, AND LRC70 PRODUCED AND IMPORTED BY GANG YAN DIAMOND PRODUCTS INC. WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE RESCUE/DEMOLITION BLADES DESCRIBED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF
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LIQUIDATION OF ENTRIES OF THE RESCUE/DEMOLITION BLADES DESCRIBED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/04/2009.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF DIAMOND SAWBLADES AND PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH 1 ABOVE, YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5:JF).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party